

Group Art Unit 2876

In re

Patent Application of

Binh T. Lu, et. al.

Application No. 10/725,047

Confirmation No. 2957

Filed: December 1, 2003

Examiner: Caputo, Lisa M.

"POSTAL STAMP TRACKING SYSTEM AND
METHOD"

I, Molly Seymour, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Molly Seymour
Signature

July 23, 2004
Date of Signature

DECLARATION UNDER 37 C.F.R. §1.132 OF BINH T. LU

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Binh T. Lu, declare as follows:

1. I am an adult citizen of the United States, residing at 313 East Main Street,

Apt. #44, Endicott, NY 13760.

2. I am an engineer and employee of Lockheed Martin Corporation, located at

1801 State Road 17C, Owego, NY 13827-3998.

3. I am an inventor of the invention disclosed and claimed in U.S. Patent

Application No. 10/725,047, filed December 1, 2003 and titled "POSTAL STAMP
TRACKING SYSTEM AND METHOD."

4. I understand that Examiner Caputo, in an Office Action dated April 23, 2004, rejected Claims 1-7, 11, 13, and 21 of the Present Application under 35 U.S.C. § 103(a) as being obvious at least partly in view of U.S. Patent No. 5,497,140 to Tuttle and U.S. Published Application No. 2002/0135481 to Conwell.

5. I further understand that Examiner Caputo stated in the Office Action that Tuttle teaches an electrically powered postage stamp, Conwell teaches a passive RF transponder, and that it would be obvious to combine the two.

6. I have reviewed the pending claims of the above-identified patent application as amended in the Response to the Office action included herewith.

7. I have reviewed a copy of U.S. Patent No. 5,497,140 issued to John R. Tuttle and assigned to Micron Technology, Inc. ("Tuttle"), and a copy of U.S. Published Application No. 2002/0135481 filed by Kevin G. Conwell and Matt Adams ("Conwell").

8. Based on my review of Tuttle, Tuttle teaches a mailing label that includes an active RFID device. Tuttle also states that passive RFID devices are generally inefficient in operation, require significant power to operate, and have limited data handling capabilities. Tuttle actually suggests that passive RFID systems are not suitable for mailing label applications.

9. The limitations of passive RFID devices as compared to active RFID devices as discussed by Tuttle are well known.

10. Passive RFID devices do not include a power supply as do active RFID devices. The lack of a power supply limits the range at which data can be read from a passive RFID device. It is more difficult to read the information from a passive RFID device. In addition, passive RFID devices are generally able to store less data than active RFID devices.

Only limited information can be stored on a passive RFID device as compared to an active RFID device.

11. Passive RFID devices are generally smaller, less expensive, and have a longer operating life than active RFID devices.

12. These differences between passive and active RFID systems require different systems for reading data from these different types of devices. Generally, these systems are not interchangeable or compatible with one another.

13. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like are punishable by fine and imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



A handwritten signature in black ink, appearing to read "Binh T. Lu", is written over a horizontal line. Below the line, the name "Binh T. Lu" is printed in a standard font.

Binh T. Lu